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Vernon's Annotated Missouri Statutes

Title XXXVIII. Crimes and Punishment; Peace Officers and Public Defenders

Chapter 558. Imprisonment (Refs & Annos)

558.047. Persons under eighteen, review of sentence, when, procedure

Vernon's Annotated Missouri Statutes Title XXXVIII. Crimes and Punishment; Peace Officers and Public Defenders Effective: July 13, 2016 (Approx. 2 pages)

Effective: July 13, 2016

V.A.M.S. 558.047

558.047. Persons under eighteen, review of sentence, when, procedure

Currentness

1. (1) Any person sentenced to a term of imprisonment for life without eligibility for parole before August 28, 2016, who was under eighteen years of age at the time of the commission of the offense or offenses, may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving twenty-five years of incarceration on the sentence of life without parole.

(2) Any person found guilty of murder in the first degree who was sentenced on or after August 28, 2016, to a term of life imprisonment with eligibility for parole or a term of imprisonment of not less than thirty years and not to exceed forty years, who was under eighteen years of age at the time of the commission of the offense or offenses may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving twenty-five years of incarceration, and a subsequent petition after serving thirty-five years of incarceration.

2. A copy of the petition shall be served on the office of the prosecutor in the judicial circuit of original jurisdiction. The petition shall include the person's statement that he or she was under eighteen years of age at the time of the offense, is eligible to petition under this section, and requests that his or her sentence be reviewed.

3. If any of the information required in subsection 2 of this section is missing from the petition, or if proof of service on the prosecuting or circuit attorney is not provided, the parole board shall return the petition to the person and advise him or her that the matter cannot be considered without the missing information.

4. The parole board shall hold a hearing and determine if the defendant shall be granted parole. At such a hearing, the victim or victim's family members shall retain their rights under section 595.209.

5. In a parole review hearing under this section, the board shall consider, in addition to the factors listed in section 565.033:

- (1) Efforts made toward rehabilitation since the offense or offenses occurred, including participation in educational, vocational, or other programs during incarceration, when available;
- (2) The subsequent growth and increased maturity of the person since the offense or offenses occurred;
- (3) Evidence that the person has accepted accountability for the offense or offenses, except in cases where the person has maintained his or her innocence;
- (4) The person's institutional record during incarceration; and
- (5) Whether the person remains the same risk to society as he or she did at the time of the initial sentencing.

Credits

(L.2016, S.B. No. 590, § A, eff. July 13, 2016.)

V. A. M. S. 558.047, MO ST 558.047

Statutes are current through the end of the 2017 First Regular Session and First and Second Extraordinary Sessions of the 99th General Assembly. Constitution is current through the November 8, 2016 General Election.

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